



April 2, 2020

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VIA ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

**Re: *Abraham v. Leigh*, No. 1:17-cv-05429; Response to Plaintiff's Third Request for
Untimely Filing**

Dear Judge Failla:

As Your Honor is aware, we represent Defendant Abby Leigh, as Executrix of the Estate of Mitch Leigh. I am writing in response to Plaintiff Robyn Abraham's third letter motion seeking leave to file untimely documents in support of her opposition to the Executrix's Motion for Summary Judgment. (4/2/20 Letter, Dkt. #496.) Plaintiff's request should be denied.

The Executrix addressed this issue in two prior letters over the last two weeks, and the Executrix incorporates the arguments stated in those letters as though fully set forth herein. (Dkt. #469; Dkt. #490.) Nothing in Plaintiff's latest letter motion addresses the arguments raised by the Executrix: Plaintiff cannot justify her failure to act timely, and that Plaintiff seeks an unfair advantage in supplementing her opposition after the filing of the Executrix's reply. Plaintiff's letter motion also fails to offer any reason to reconsider this Court's order of March 27, 2020, which rejected Plaintiff's first request for reconsideration as without merit. (Dkt. #492 (entered 3/30/20).) Indeed, Plaintiff makes no attempt to address the Court's reasoning beyond unsupported conclusory assertions.

Plaintiff continues to waste the time and resources of the Court and the Executrix when both are at a premium. The letter motion to submit untimely filings should be denied.

Respectfully submitted,

COZEN O'CONNOR

/s/ Michael J. Broadbent

By: Michael J. Broadbent

Cc: Robyn Abraham (via email)

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